legal education & training group

Newsletter
Autumn/Winter 2009

In this edition...........Fast forward to the future!

In our Spring Summer edition, we reflected on how the challenging economic times had made life difficult for us L & D professionals. Whilst the downturn is still a backdrop against which we all continue to operate, we're keen in this Autumn Winter edition to look forward to future trends in L &D in the anticipation of a turnaround on the horizon! We were delighted to catch up with so many of you at our **Annual Conference, "Fast Forward to the Future", in November** (in a credit crunch one-day format!) and encouraged that you too were looking for positive messages and ideas that you could take back to your firms. This year was also one where the LETG have taken the bull by the horns and commissioned some **original and insightful research into partner development in law firms and PSFs**, highlights of which were introduced by the Møller PSF Group at our AGM in October, and the full results of which are now available (see later). We are also revamping our website with a brand new knowledge search facility, more of which inside. Finally, if you're in need of some light-hearted festive cheer, check out some of our articles at the back of this newsletter!

Inside

Your LETG committee

(In alphabetical order by surname)

David Ball
Dorothea Bannerman-Bruce
Peter Carrick (Chair)
Trevor Comyn
Joanne Gubbay
Pauline Holland (co-opted)
Victoria Johnston
Paul Rose
Kathryn Rousin
Shalini Sequeira
Nigel Spencer

Jane Cochrane, LETG Administrator

Remember, you can email any of us via the "contact us" feature on the website.

www.letg.org.uk

LETG News

Committee update!

We are delighted to welcome Paul Rose and David Ball to the committee, which means we're still looking for 2 more members to bring us up to our full quota. If you're able to attend committee meetings (about every 6 weeks) in London, and are interested in playing an active part in what the LETG organises and develops for its members, we'd love to have you on board! Contact Peter Carrick for more details.

Fond farewells to Liz Bryne, Tracy Clegg and Karen Aubrey.

The three sub-committees, under Peter Carrick's watchful chairmanship, are spending a good deal of time ensuring that we deliver value and substance to our members in these challenging times. To remind you, the sub-committees are:

Events: Victoria Johnston, Kathryn Rousin, Joanne Gubbay

Governance: Trevor Comyn, Pauline Holland, Peter Carrick

Representation, Research and Publicity: Dorothea Bannerman-Bruce, Nigel Spencer, Shalini Sequeira

Do keep providing us with your views and feedback.

Looking forward to 2010! Peter Carrick, LETG Chair

I am writing this following a very successful LETG Conference.

As reported later in this Newsletter, the Conference was very successful and it was very heartening to see the

fantastic attendance despite all the economic difficulties which this year has seen. Many congratulations to Jo Gubbay, Victoria Johnston, Kathryn Rousin and Kate Sherwood for organising such an informative and fun day. I feel it really did move the debate on in some of the key areas of the implications for training of outsourcing in different forms and also the demands of different generations of lawyers. Thanks to all our speakers and facilitators (particularly Bernard George) and the College of Law for hosting so hospitably.

Meanwhile, LETG members are consulting with the Solicitors' Regulation Authority over their proposals on work based learning. There is still an amount of concern and lack of knowledge about how and when these proposals will be implemented. It now sounds as though it is unlikely that anything will be put in place before 2011 and this is more likely to be 2012. However, given the usual 2 year lead in time for recruitment, even this time scale may leave little time for firms to react to the proposals and decide what their training process might look like (if indeed they want to change it at all).

One chief issue is how to deal with a training period which may not be fixed in length unlike the current 2 year fixed-term training contract. We will report on how this consultation process progresses in the New Year. There is also the issue of how Work Based Learning can be monitored in a practical way.

Also we report on the research project into Leadership which the LETG has commissioned this year in this issue.

Many of you will have seen the interim slides which were presented by Møller PSF Group at our AGM in October.

This research is now available in its fuller form at a very cheap price to members. The research was a substantial piece of work including extensive interviews at a large number of organisations. We are pleased with the substance of the findings and feel that the price is exceptional value for money in comparison to other research reports of this nature.

Moving on to the New Year, our focus will be on the following issues:

1. Keeping abreast of the SRA's progress on the pilot for Work Based Learning and the Agenda for Quality Consultation. There is a report on the Agenda for Quality Consultation later in this Newsletter. We want to devote areas on our website to both of these issues.

2. Generally, recycling any know-how we develop through events to make it available to a wider audience. There is further information on the progress of this project later in the Newsletter.

3. To continue to find ways to involve training providers in LETG activities without stifling the debate amongst internal trainers. This will largely be at events but increasingly will look to involve them in other ways. We would look to you, our membership, to tell us in what areas you would like to have access to more providers and in what ways.

4. Examining the results of the research project into Leadership conducted by Møller PSF Group

this year and identifying areas of more targeted research. Again, any views on this would be very welcome.

Hoping you all enjoy a pleasant festive period.

Peter Carrick,
Chair of LETG Committee

New LETG Website Knowledge Area

Following feedback from our members that the LETG website, while being useful, could be updated, we've taken a look at the resources we have on the site and how we can improve access to them.

Our solution is to create **a new Knowledge Area** where we'll store all of our current knowledge (conference papers, articles, news items and so on). Members will be able to search everything in the Knowledge Area by keyword, and we'll also have a number of folders such as Leadership, where useful resources in that topic area will be grouped.

This will also be the place where we have ***a dedicated SRA area***, which will hold details of all SRA consultations relevant to the LETG as well as updates from the LETG and news about SRA matters. We will have an area here devoted to ***Work Based Learning*** (which we know from our recent mini-conference is an important subject of debate for our members) where you will always be able to find the latest news.

We're developing the Knowledge Area now, in conjunction with our web designers, and we hope to be able to launch it early in the new year. We hope it will be a valuable addition to our website, enabling you to draw upon the resources of the LETG quickly and easily. Please contact Shalini Sequeira if you would like to know more.

Regional Groups

The South West Group meets every 3 months to discuss current issues and to share best practice for example, course management, 360 feedback, L&D branding and junior lawyer development. In June we organised a coaching workshop, entitled "Maximising Performance through Coaching" run by Harcup Consulting and Sherwood PSF Consulting. The workshop was well attended and really useful and concentrated on how to get the most out of coaching in the current economic climate. It was supported by the research that Harcup Consulting recently undertook, and will looked at how coaching in law firms is most effective in changing behaviours.

Contributed by Rose Walker

Interested in setting up a regional grouping in your area? Contact Peter Carrick or Pauline Holland

Other News…

PLEASE NOTE: The LETG does not endorse or recommend any particular publication. This is by way of information only and editorial is lifted directly from the publisher's website.

Solicitors Regulation Authority

Work Based Learning Liaison: A chance to have your say

At our update session in July on the Work Based Learning pilot which is now running into its second year, a number of concerns were raised. The SRA have asked us whether any members would be interested in attending a focus group to clarify concerns and to raise any ideas about the future practical training of solicitors. They are looking for firms/individuals who:

- are interested in work based learning, its practical implications etc
- have concerns about work based learning's training, regulatory or contractual issues
- are interested in looking at new ways of developing their trainees
- are concerned about assessing competence and the sign-off of trainees
- have views on the 2-year fixed term training contract, and any potential change to that, or
- have views on the content or nature of the PSC and the way it relates to the training contract, or to work based learning

We, at the LETG, think it is very important that as many of our member firms as possible get the opportunity to air their views in what could result in a very different way in which we go about training trainee solicitors. We would urge you to take part, particularly if you have strong views. Following the update session in July, we already have a number of materials on Work Based Learning on our website and we will add to this as more becomes available from these focus groups or elsewhere.

If you are interested, please contact Tim Pearce (tim.pearce@sra.org.uk) who will be in touch and make the necessary arrangements.

SRA Conference on Quality, Values, Standards – the future legal landscape

On 29 October, the SRA held the above Conference to build on the consultation paper it issued over the summer (An Agenda for Quality).

As mentioned in previous newsflashes, the main thrust of this proposal was a switch from monitoring the individual towards monitoring the environment in which people work. At the Conference, Dr Jonathan Spencer outlined the thrust of the responses. This gave some support for the approach taken by the SRA coupled with some resistance to the regulator's involvement in a topic such as "quality". There was a clear concern about competence beyond the point of qualification and the SRA is taking the line that they will allow competition to determine quality where possible but will use regulation where it is necessary.

The SRA is now in the process of setting out a position paper based on the consultation document which will go to more formal consultation in January. They are working on clear definitions of standards, knowledge, skills and behaviours for roles within organisations employing solicitors as part of their proposals for institutional monitoring, These will include the statutory rules which are currently required for Alternative Business Structures (ABSs), i.e. Head of Legal Practice and Head of Finance and Accounting.

They are also looking at the tools used to assure quality:

- The Code of Conduct
- Continuing Professional Development (CPD)
- Management Course requirements
- Accreditation Schemes

What other tools might be required to monitor quality in organisations rather than individuals? The feeling of the SRA is that CPD needs to have stronger requirements immediately post-qualification and that the burden of compliance needs to fall more on institutions rather than individuals. They also indicated that they were minded to drop the approval scheme which leads to the distinction between accredited and non-accredited courses. Dr Spencer also reported that all the responses to the consultation document said that the Management Course warranted particular attention.

Web 2.0 and the workplace of the future – considerations for HR and training professionals

Personneltoday.com
Human resources news, strategy and community

How employees access the web and use it at work is an area all HR and L&D people need to keep abreast of. The next generation of workers now use and expect to use technology in a way that wouldn't have been foreseen even over the last 10 years, and HR and L&D practice needs to adapt, adjust and accommodate the changing landscape.

This article is a very interesting wide ranging debate about the role HR plays in addressing the issues that new technology presents. Click here for the full article.

People management

How much has the economic climate affected the business schools, whose risk-taking progeny are arguably responsible for the financial collapse?

This is an interesting look at how the business school market has been affected by, and has reacted to, the financial crisis.

Click here to read the full article.

LETG Events

WHAT YOU MAY HAVE MISSED

LETG Lecture, Awards and Network evening
Sponsored by Kaplan Law School and H4 Partners

Thursday 18th June 2009 (from 6pm) Staple Inn Hall, High Holborn, LONDON, WC1V 7QJ

LETG BEST TRAINING ORGANISATION/TRAINER OF THE YEAR: Sherwood PSF

We were obviously delighted to have received the LETG Award for Best Training Organisation/ Trainer of the Year in 2009. Many of you will have come across us but some won't have, so we have been asked to describe what we do and how we do it.

We adopt a 'change management' approach to help clients develop and implement practical and lasting changes, through:

- Design and delivery of integrated **training & development programmes,** most notably in the areas of leadership, managing people, client relationship management and selling skills
- Design and delivery of **development and assessment centres**
- Executive **coaching and mentoring** for partners, senior associates and senior business support managers
- Facilitation of partnership, departmental or practice group **away-days**
- **Consultancy advice** on strategic and operational issues in L&D and on management processes and systems that help motivation, development and productivity of people

All of us have worked in the professional services context and we have all done the jobs (and managed others doing the jobs) that our clients want us to help them do. We have the medals and scars to prove it! All of us have benefited from formal education in leadership and management. The founders of Sherwood designed and taught the first MBA for lawyers at the Nottingham Law School.

We believe in bringing together the best of current management thinking and old-fashioned common sense. We understand the culture and ethics of professional practice and partnerships, for example the importance of client confidentiality. We set out to enjoy our work and find that our clients enjoy working with us.

Perhaps it will help if we provided a couple of examples of projects:

1. **A leading regional firm** wanted partners to be more committed and skilled as leaders. The firm had already run leadership training courses, but these had had only a limited effect and the partners were cynical about training.

   Sherwood was invited to pitch for this work. Our understanding of the challenges facing the firm, together with a rigorous approach for getting 'buy-in', helped us win the work. We worked alongside the firm and encouraged them to set up a steering group comprising Practice Group Heads and others. We met the partners and senior business support heads to understand the needs more fully and designed a Leadership Masterclass which focused on real live 'change' projects.

   The pilot group asked to meet up afterwards to review progress. Comments from participants included: "I thought this was excellent. I've already put some of the material into effect!" Sherwood has been asked back!

2. **An international city firm** wanted to increase the contribution from its young lawyers and in doing so improve its retention of talented individuals. We worked with the Training and HR professionals and partners to develop a development programme for rafts of lawyers between 2 and 6 years qualified in the UK and across continental Europe.

   The starting point was establishing a competency framework based on the input of the partners and the young lawyers themselves and which reflected the business priorities and culture of the firm. The resulting development centres generated highly positive feedback and resulted in higher retention rates.

   If you want an off-the-shelf package, Sherwood might not be the right firm for you. If you want a tailored solution that's going to make a big and sustainable difference, we are the firm for you.

   For more information, please check us out at www.sherwoodpsfconsulting.com.

LETG AGM: 20 October
Berwin Leighton Paisner

Møller group presentation on the results of the Leadership Development research

As mentioned through the summer, Henry Marsden, Des Woods, Martin Hill and Toby Hoskins from the Møller group in Cambridge attended the AGM to report on the 'Leadership Development' research project to which some of you contributed by way of interviews and online questionnaires over the summer.

The result was a very stimulating presentation with Henry leading the first part of the presentation and covering themes ranging from the use of formal programmes, individual, ad hoc or 'just-in-time' approaches to development. The results of the research also very usefully compared the most effective methods for development against those which are, in fact, used most often and suggested how firms could amend their approaches.

Des Woods then moved on to propose what an effective model for partner development could look like, given the findings from the research, and also to discuss where L&D teams could focus more, especially in ways to influence and support the implementation of a firm's strategy.

The presentation sparked a lively Q&A session on a number of the themes, especially on the issue of how different sectors approach leadership development (e.g. law firms versus accountancy firms) and how the scale of different firms affects the approach to leadership development within them - for example, when will a more 'Corporate' model of leadership development work well, with fixed development modules? By contrast, when will one need to adapt a more flexible, individual and opportunistic approach, constantly adapting to follow current issues in a firm's leadership agenda? And how important are leadership committee buy-in or competency frameworks as a context for supporting such programmes?

Click here to be linked to the preliminary findings . As promised, the research is now available through the Moller PSF site (under the Talent and Career Development pages). LETG members will pay a reduced rate for the results. The prices are:

- For LETG members: Executive summary £30; Executive summary and research slide pack £130
- Non-LETG members Executive summary £50; Executive summary and research slide pack £150

Members will also be able to access this site via the LETG site.

The Møller team is also planning a number of 'roadshows' around the country to allow firms to hear the presentation and the findings from the research in full. More details will be published in due course when dates are finalised.

LETG Conference: Fast forward to the future

Thursday 19 November
College of Law, Moorgate

The LETG's annual conference took place in London this year, very kindly hosted by the College of Law in their central City buildings in Bunhill Row. We had taken the decision this year to make the day a one day event, and your feedback indicated that this format was well-received given the current economic climate. To view the slides from the conference, click here.

The day had a packed and extremely high quality programme and focused on what we, as L&D professionals, need to consider as the pace of change in the legal sector increases exponentially. What does the future hold for the structure of firms, and for the career paths of professionals in them? What are clients looking for in the 'new world' of the future? Will e-learning now take centre take in our L&D strategies? How do different generations learn? And how do we Baby Boomers and Generation X members communicate with the increasing 'Generation Y' populations in our firms to give them what they are looking for in their development and careers?

After an introduction from our Chairman, Peter Carrick, the day got off to a high-impact start with the keynote speech from Professor Richard Susskind OBE on future trends in the delivery of legal services. As always, Richard's comments were thought-provoking and challenging, addressing issues such as the pressure on firms to offer services to clients at lower cost and its possible implications. Would there be increased merger activity between law firms or collaboration to share resources? How can law firms address the desire of clients to pay less for routine tasks in how they structure their firms (especially the junior resource in them)? Where and by whom will these routine or commoditised types of work end up being done? Offshore, by paralegals or by companies offering clients pools of lawyers who might work on a contract basis? How can more tasks be automated and use technology to innovate with new delivery mechanisms? And if law firms do employ fewer junior lawyers and the leverage is less, will this have an upside of increased coaching and mentoring in firms, returning more to the model of the past? Also, if clients are looking for more proactive advice, with law firms becoming more 'legal risk managers' than dealing with problems and disputes which have arisen, what types of roles will the 'law firm of the future' need beyond those offering bespoke legal advice? Analysts of legal processes, legal knowledge engineers, legal project and risk managers? Richard also drew our attention to some simple uses of video as an educational tool such as Ted.com and his own interview on Legal Week with Leah Cooper, the Managing Attorney of Rio Tinto about Legal Process Outsourcing.

After reflections round our tables on the impact of this future vision, the conference put its questions to a panel of Richard, Neville Eisenberg (Managing Partner of BLP), Helen Mahy (Group Company Secretary and General Counsel, National Grid plc), Henry Marsden (Møller Professional Service Firms Group), Sarah Hutchinson (College of Law) and Caroline Stroud (Global HR partner, Freshfields), and a lively discussion was expertly chaired by Bernard George. Themes discussed included how e-learning and online networks can be used to link colleagues, alumni and clients, the potential impact of outside investment on law firm management structures, the future of the training contract, the long 'pipeline' of recruitment and funding of law graduates through law school, and what changes are needed in universities to adapt to the altered needs of the profession.

After lunch (with especially nice carrot cake!), Jamie Pennington gave us an engaging view of the different L&D approaches we should consider to communicate and drive learning across generations. Which of us use instant messaging, blogs, 'Wikis', podcasts, and simulation learning? And what is the place for more traditional and formal education and training - is it largely to deal with the 'unknown unknown'? Jamie's session also incorporated the audience 'voting button' system which made it even more thought-provoking to consider that, whilst there are now more than 200 million blogs being written and engaged with as a communication tool worldwide, 62% of us do not use them as part of our own firm's communication or learning strategies! To see the results of the votes, click here.

One of the key themes of Jamie's session on the preferences of 'Generation Y' was then followed by a case study from Brett Galloway, Graduate Recruitment Manager at Addleshaw Goddard. Brett showed us in video format the results of some research which his firm used to inform their approach to this generation (which make up approximately 35% of their firm's staff). The themes he drew out included the need for engagement, mentoring and networks, continuous feedback, flexibility in the workplace, being measured on outputs and their interest in 'making a difference' through pro bono activities. To find out a little more about the new world of work, have a look at this video on YouTube: http://www.youtube.com/watch?v=oL6GTqvtYHM

Another interesting point made was how their upbringing with parents who were more inclined than previous generations to seek their ideas and opinions made them expect involvement in decisions in their workplace too, with their consequently different perspective on hierarchy in firms.

After the break, there was a short case study from Nigel Spencer at Simmons & Simmons on the firm's approach to developing its three different generations of partners, and then the theme of pro bono continued with Kara Irwin (Director of the Pro Bono Centre, BPP Law School) and Rebecca Hilsenrath (Chief Executive of LawWorks). Rebecca highlighted the vast range of pro bono opportunities which were available and how this could help the development of core lawyer client-handling skills, delivering at the same time on the desire of the Generation Y population for such rewarding activities.

The day ended with the tables of attendees openly discussing ideas of tips and techniques they have tried (or would like to try) in their own firms for interventions which address some of the issues raised during the day - and the voting buttons were again used to gain everyone's feedback on the best and most creative ideas. Innovative ideas included the use of music, acting and even painting for development sessions, pro bono projects which draw out leadership and teamwork learning, in-house You Tube videos, personalised intranet pages with learning content - and the winner of the voting was an idea to give real live 'action learning' management projects to junior associates ranging from setting up mentor schemes to strategic IT projects to ensure engagement with such projects amongst the fee-earner population. To see the full list of tips and techniques, click here.

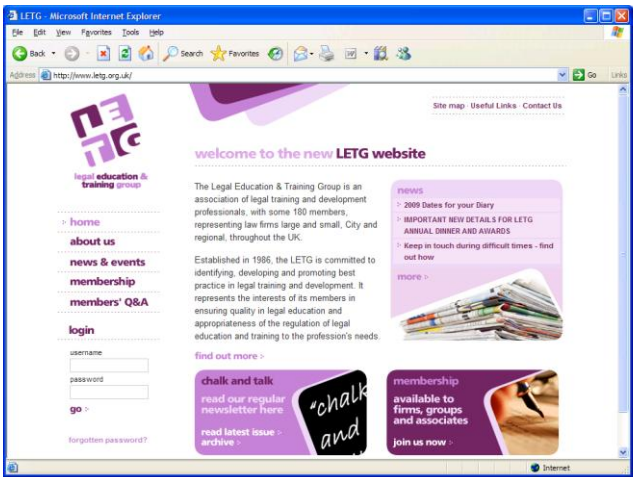
After the end of the formal sessions, conversation, questions and debate continued over drinks, kindly offered by the College of Law, and then we all dispersed into the night still buzzing with a myriad of tips and ideas to implement in our firms, confident that, to a large extent, we can influence what will happen in our sector and our firms. As Richard Susskind said, the best way to predict the future is to invent it...

COMING UP: EVENTS NOT TO BE MISSED

Our first event of the new year will be a **breakfast briefing** in February on business schools, focusing on the experiences of delegates and L&D professionals of various business school programmes. In March, in response to feedback from the conference, we will be running a highly practical session on **learning technologies**, focusing on how to develop and use some of the tools which are so popular with 'Gen Y'. In May we will be **showcasing a training provider** (more details of who to be announced in the new year) as we all find that the best way to judge if someone will be suitable for our firms is to see them on their feet. And finally our popular **awards and networking evening** will take place in June. Dates and details to follow early in the new year.

LETG Website

Don't forget to **check out the LETG website** to see the really useful answers to LETG member newsflash queries – there's a wealth of helpful hints and recommendations from other members there!



---

60 Seconds with Nick Davies, The Really Great Training company

What do you usually have for breakfast?
If I'm at home it has to be All Bran or Muesli. When I'm travelling then, granola, a smoothie and coffee in Pret.

What's your favourite radio station?
Radio 4

What's been your most uncomfortable training experience?
I was training some people in the Scottish Government. A parcel was delivered to one of the delegates during the session. It sat on the table in front of her for 30 minutes before she decided to open it and remove from within it the prosthetic right arm it contained. She then unscrewed/unclipped (I'm unsure which exactly) the arm she was 'wearing', placed that in the box and then proceeded to fit the new one. Although a tad alarming, it actually led to a fascinating conversation regarding the longevity of your average false limb and how the nails with a French manicure on the new one really enhanced the whole ensemble.

What's the most recent thing that's made you laugh out loud?
An episode of Frasier I watched in bed this morning.

Who inspires you the most?
Lord Horatio Nelson because he was loved by all that served with him, he was a stickler for doing things correctly but broke all the rules when it really mattered: he was a maverick.

What's been the most exotic location you've trained in?
Monaco – courtesy of Kate Warburton at Linklaters (thanks Kate!)

The worst hotel experience?
A wretched little place in Bayswater, the name of which I have obliterated from my mind. I had a room so small that whilst sitting in bed I could touch the walls on either side. There was one, tiny, narrow window through which it rained and a revoltingly large, inconveniently placed wet patch of carpet just where one placed one's feet when decanting from bed.

Madonna or Michael Jackson?
Madonna unless I'm in the mood for a bit of early, funky, disco Jackson

Gordon Ramsay or Jamie Oliver?
Gordon because he calls it like it is and has an opinion.

What's on your Christmas list for 2009?
Vouchers for clothes shopping. I'm one of those blokes who actually adores shopping

---

Want more from **this newsletter?**
Contact **Jane Cochrane**

legal education & training group

Article 1

Can computer based Remote Training achieve behavioural change?
By Martin Chapman, ITD

Can computer-based Remote Training achieve behavioural change?
To achieve behavioural learning and changes through training has always been the preserve of classroom training. If we want fee earners or business services to really understand new concepts and work out how they apply to them in their day-to-day work, it has traditionally taken a conversation in the classroom. E-learning has successfully picked up some parts of learning, especially where updating existing knowledge is required, such as in HR policy or IT updates. But even with these developments, behavioural change has thus far remained the preserve of the classroom.

Behavioural learning is more complex than the more straightforward communication of information, as it appears to require the participants to engage in conversation with the trainer and other participants in order to understand and see the benefit of new ideas, as well as consider their practical application. This might be because communication is a two way process and the learner needs to discuss ideas and how they apply. Remote Training may offer a way of achieving this at a reasonable cost.

How does it work?
Remote Training employs software to create a classroom at your desktop. It is exactly like classroom training except everyone is in their own office, sat at a computer rather than round a table. The trainer can be seen by everyone via the video webcam. Everyone can talk with each other. The trainer can display slides or video or websites to illustrate points. They can also use white boards, just as they would in a classroom. In fact, the participants can also join in by writing or drawing on the slides or white boards. Most significantly, there are also break-out rooms where the participants can split up into 3's or 4's to discuss specific issues and while in these rooms they can write their ideas on a white board. They can hear only those people in the same room and not the participants in other break-out rooms. The trainer can move between rooms to ensure everyone is on track and in the correct room. After the break-out room sessions they can all regroup and discuss their findings back in the main room. The trainer can also engage with the participants and gain their thoughts on specific questions through voting buttons.

What are the issues?
Any new technology will be adopted well by some, whereas others will struggle. Sitting at one's desk and doing anything but regular work can be difficult with distractions possible from email, telephone and face-to-face interruptions. The sheer enjoyment of getting together with colleagues and discovering your issues are similar to those of other people is a rewarding experience, and the networking opportunities are not as easy as they are with face-to-face meetings. A big challenge is for the trainer to create an experience which is engaging for the participants for the entirety of the workshop.

Length of sessions
The technology poses both a challenge and an opportunity. Keeping participants focussed for 45 mins to an hour at a time presents a challenge. On the other hand, there is an opportunity to spread sessions over time, with the chance for participants to practice their new learning in between sessions. If sessions are longer, a small break half-way through can work. Very often with classroom training, learning has to be bundled into 3 to 6 hour sessions to get value from the trainer. Remote Training is more like booking a meeting into your diary, with one or two hour sessions being spread over several weeks.

Choices of software

There are a variety of choices available, all with functional nuances which are worth considering. Of course, existing IT commitments can impact on the actual choices available

Does it work?
Our initial trials are delivering interesting results. Some people love it, whereas other participants are not initially enthusiastic with this new style of training. However, once they get over the technological hurdles they seem to warm to it. The trainer has to do very detailed preparation, as there is no room for delay. Every second of activity has to be planned, otherwise the participants will be tempted by distractions. What is particularly interesting is that the actions and behavioural changes recorded so far are as good as, if not better than, those recorded during traditional classroom training. Because the sessions have to be shorter there is a need to spread them over a period of time. This leads to the opportunity for participants to practice new behaviours and then review them in the next session. Reviewing takes the form of reporting on their actual behavioural change and the results therein.

Conclusion
So what we might say is that, once people get used to Remote Training, it has demonstrated itself as an effective tool for instigating behavioural change. Bearing in mind the time and cost savings, it may well be a useful tool for the Training and HR departments to deliver valuable learning, especially where a client has employees spread across multiple offices and countries.

For further information please contact Martin at mailto:mchapman@itd.com

About Martin Chapman: Martin is MD of ITD and has been working with law firms in the area of learning and development for 9 years

Article 2

The A to Z of Running a Training Course (the Bluffer's Guide)
By John Trimbos, Trimbos Training

In these straitened times many LETG members are having to run their own training courses, or even lay on seminars for clients. There are many worthy books about course design and delivery, but we all know that success in the seminar room depends on a mixture of luck and chutzpah. Here is an A to Z of all you need to know really…

A stands for **Acronym.** The training world is full of clever acronyms (SMART, SWOT etc). Try to make up your own, but beware unintentional rudeness (e.g. Client Relationship And Partnership Strategy).

B stands for **Brooch** or **Bracelet.** All the best trainers wear bold jewellery as a mark of self-confidence, so wear something big and brash. The equivalent for men is probably a Rolex watch or similar (or good fake).

C stands for **Cakes.** Hand these out as rewards for clever answers etc. Most of the delegates are only there for the free food anyway.

D stands for **Dog.** The author has never known a session to go wrong when there is a dog in the room. If there are no delegates with guide dogs, try to borrow some kind of hound and say you have to babysit it.

E stands for **Evaluation Forms.** These are the primary indicators of success. Try to give a heartfelt compliment to everyone just before you hand out the forms – they will respond with glowing reviews even if you've been talking rubbish.

F stands for **Flipchart.** Use this as much as possible. It will distract the audience from any deficiencies in your course content.

G stands for **Games.** Most people are bored to death after a quarter of an hour, so some kind of business game will wake them up. If only you can understand the rules then you will appear to be very clever.

H stands for **Herzberg.** No trainer will sound at all authoritative unless they mention at least one Germanic psychologist. This is a known fact.

I stands for **Icebreaker.** It's traditional to get people to introduce themselves by engaging them in an icebreaking activity. If it makes them look foolish then so much the better, so they are less inclined to cause trouble and answer back later.

J stands for **Johari's Window.** Nobody really knows what this is or what it's supposed to do. Mention it anyway.

K stands for **Kinaesthetic.** It's also essential to use as many pseudo-psychological four-syllable words as possible. This one sounds very impressive, but you could also try making up your own (e.g. *macrointerpersonalenvironmentalism*).

L stands for **Laptop.** Try to use your own or (even better) one belonging to a technologically minded friend. It will make you appear IT-literate.

M stands for **Maslow.** See Herzberg above. It is also an established fact that no training course is complete without a drawing of Maslow's Hierarchy of Needs (see also Flipchart above).

N stands for **Needs Analysis.** Offer to do a free training needs analysis. Then simply propose any courses you happen to be able to do.

O stands for **Obligatory Courses.** These are a great way to get bums on seats. If there are no obligatory courses looming, make some up (or tell them it's yet another SRA experiential learning pilot).

P stands for **PowerPoint.** An article in The Times last year called it PowerPointLess. It's well established that it's of no value as a training aid. Use it anyway, preferably with some impressive colour diagrams.

Q stands for **Questions.** Try to avoid giving people the opportunity to ask them. If someone does ask a question, say it's a really good point and throw it open to the audience – hopefully someone will know the answer.

R stands for **Role Play.** People hate these because they make them feel self-conscious. Try to throw in as many as possible to show them who's boss.

S stands for **Smart Casual.** If you wear a formal suit you will look like a failed management consultant. On the other hand try not to look like you've just been digging the garden (unless the audience are botanists of course).

T stands for **Timing.** Always tell people the course will be longer than it really is. Any course that finishes early will be like manna from heaven.

U stands for **Unconscious Competence.** Tell the audience that this is what they'll achieve by listening to you. Occasionally someone actually believes it.

V stands for **Video.** All training videos are terrible and were made between 1975 and 1985. Show one anyway – it will give you a chance to hoover up the last biscuits.

W stands for **Workshop.** Whatever the nature of the course, bill it as a workshop. It makes it sound fun and interactive.

X stands for **Xmas.** If you run a course in December there is a good chance you will be able to blag some booze from the kitchen, especially if there are clients coming.

Y stands for **Young People.** These are always trouble, especially if they're fresh out of law school. Make sure you ask one of them an impossible question early on, to squash any uppity-ness.

Z stands for **Zeitgeist.** Always try to say this or something similar. It will make it sound like you know lots of foreign languages (you might also try *modus operandi*, *rendezvous*, *mutatis mutandis*, *shibboleth* or *geschwindigkeitsbeschraenkung*).

John Trimbos
www.trimbostraining.co.uk
trimbos training

Article 3

Death by a thousand cuts - How can lawyers avoid the salami slicer?
By Robert Mowbray, Taylor Mowbray LLP

The best law firms have long prided themselves on providing a unique one off service to a sophisticated client. Prior to the credit crunch and the recession, which is now hitting nearly all firms, the largest firms could almost charge what they liked. Although such firms had very high costs, the fees earned were considerably higher and profits escalated to stratospheric levels; if you are not convinced by the truth of this statement track back and review how average charge out rates for your own firm have grown over the last five to seven years.

The legal profession is very different to almost any other industry. In other industries, management have to know exactly what it costs to provide their goods or services and they develop sophisticated approaches to 'sell prices' so they can monitor and manage what are often very narrow profit margins. Lawyers seem to have very little knowledge about what it costs to run a matter and often feel unsure how to price work, because historically they didn't have to. Matter by matter they are unable to assess profitability and it is only by looking at management accounts that a partner is able to see if the firm is profitable. Despite this, lawyers have made huge profits. It is amazing to consider what profits could be if firms became more sophisticated with improved matter planning and pricing.

As an accountant who has spent nearly every working day in law firms for the last 20 years I have witnessed the "boom" and now "partial bust" of many of the larger firms both in the UK and globally. The firms that are going to grow fastest in the new world post 2010 will be those that are best able to adapt to the changing expectations of clients. Clients still need a range of legal services but they are putting the lid on prices and are looking for more creative fee arrangements that provide them with greater certainty. Clients are also looking to their law firm suppliers to share in the business risks they face. Clients have become highly skilled at slicing various discounts from quotes like slices from a salami until the law firm has virtually nothing left for a fee. Procurement professionals are now being asked to target professional fees for discounts and one buyer I know confirms he can achieve a 20% discount with a single telephone conversation. Previously this would not have happened as these services were seen as relationship purchases.

The training need that many firms have thrown at me in the last 12 months is, "Our lawyers have clients who want to use the firm but who are no longer willing to pay our hourly rates and who want a 20% discount. Can you teach our lawyers to negotiate fees more creatively and effectively with clients and help them to control the cost of the work they do so that we might still make some profit?!!!!". This is clearly a considerable challenge.

How can training help with these issues? You could offer generic training that overlaps with these issues and which should add some value. It is preferable however to provide highly tailored training that deals with the specific market issues faced by different teams of lawyers, because the challenges faced by a real estate partner are notably dissimilar to those of a litigator. Meeting these diverse requirements is only achieved by preparing scenarios that cover the real issues faced by a group of lawyers which then forms the cornerstone of the training. Some of the L&D managers that I have worked with have been excellent at talking to fee earners about their issues so that we can design really relevant case studies for discussion that all participants can see focus on their live issues.

One of the issues that many lawyers seem to struggle with is being creative with fee arrangements. During a training session it is possible to share with participants many of the diverse and imaginative fee arrangements that are now operating in the legal market, and to discuss when these different arrangements might be most suitable. Some fee earners share their more extreme experiences in this area and sometimes think they are now describing market practice. It is helpful to have someone from outside of the firm involved in the training who has wider market knowledge and who can challenge the firm's thinking about the market conditions.

As with any good training session it is essential to have a process which ensures that the main learning points are practised and applied after the training. What seems to work well is to get each participant to complete an action plan at the end of the training which can then be followed through in practice areas and practice area meetings in the weeks following the training. Many of my clients advise that they find it useful to have the trainer available to coach participants after the training if they are now facing difficult pitches and pricing decisions. If lawyers are to be brave and to take measured risks then they need to know that support is available.

One final thought; this really is about getting profitability back to pre-recession levels. Lawyers who can truly differentiate themselves in fee discussions and in controlling matter costs are likely to find it easier to attract more profitable work as the economy turns back to a period of sustained growth. Lawyers who are unwilling or unable to adapt face a painful death on the salami slicer.

Robert Mowbray FCA is a partner at Taylor Mowbray LLP and has spent the last 20 years of his career helping firms and lawyers to operate more profitably. He is the author of "Maximising the profitability of law firms" and for the last 3 years has run the Law Society's annual benchmarking survey on the profitability of law firms. He was the first winner of the LETG's "Trainer of the year" award. Robert has worked with most of the major firms in the UK and has also worked with firms in around 30 other countries.

Article 4

The Virtual Classroom

use it; use it now; but for heaven's sake use it properly.

By Peter Fleming of Huthwaite Fleming

Type "virtual classroom" into your Internet search engine and you can expect to find roughly 2,800,000 results, and not all of these will be for online poker lessons. The sheer number of references is a testament to the interest, not to say hype, which the idea of the virtual classroom has evoked in almost no time. Why might this be? And how far has the hype travelled in the direction of reality?

There are some obvious, and superficially valid, explanations for the hurricane of name checks. Even before corporate budgets for travel and training were being strangled at birth, as so many now are, there was regulatory and moral pressure on firms to cut the amount of carbon-emitting transport undertaken by their employees. Lawyers have long issued the siren cry of "time away from the desk" to resist any training programme that reduced fee earning time. And now that the CEO or MP has clamped down on "discretionary" spending, the demand to deliver learning to people, rather than the other way around, has mushroomed. So people have begun to talk about and, however haltingly, to attempt to deliver, a virtual classroom experience.

The idea of people doing some learning outside the traditional classroom has, of course, been valid for decades. More recently, corporate audiences have become familiar and comfortable with various forms of eLearning, blended learning, Webinars and Webcasts.

But these have all been limited in a critical way. They are all channels for imparting information in a more or less "push" style. The only way instructors could elicit a response from the unknown, unseen, unheard multitudes of a potentially infinite audience was in the form of completed exercises or, at best nowadays, instant messaging. We might call this response "reverse push". But as any trainer knows, and as Socrates was at pains to point out, education requires the teacher to draw answers out of the pupil as they construct a convincing and lasting model that actually works, rather than just to cram their heads full of facts or theories. In modern business training we use the word "pull" as a term of convenience to describe, however inadequately, the Socratic method.

True "pull" style training has never really been possible without the physical co-location of trainer and learner until the advent of the virtual classroom. And even since its arrival, the evidence we have seen suggests that trainers, unaware of its true potential and mired in a Webcast mindset, are tending to use it as another glorified conduit for the force-feeding of information to an unwilling, bored and distracted receiving cohort. Make no mistake: the opportunities and temptations for non-attendance and non-cooperation are magnified in the virtual world if the delivery team is not highly skilled and if the design is not the right one.

At its best, we have no doubt that the virtual classroom, in which companies like Adobe, Cisco and HP as well as smaller specialists are investing heavy R&D resources, will assume a prominent place. What we have now is a select few solutions that are truly fit for purpose and moving into the mainstream: with interactive trainers, plenary sessions, virtual syndicate rooms, private and public messaging, freehand whiteboards and flip charts that can be "carried" from room to room. Almost everything, in fact, that you'd have in a normal training environment except the high cost and the boiled sweets.

To make this environment work well, the leader of any virtual session must still be able to demonstrate total familiarity and competence with the subject matter content under instruction, without which no trainer can achieve success. This should, as in the old world, be backed up by an engaging and interesting delivery style. It may seem obvious to restate these traditional skills, but the danger is that in jumping aboard the unusually fast-moving wagon that the virtual classroom has become, these eternal truths get forgotten. Facilitators must not become seduced by new technology that edges out the need to fascinate and astound their audience with whatever it is they are there to learn, and to integrate it into a delegate's real world.

This is not to deny that among the completely new skills now required is that very ability to master the technology. While it must be the servant of the content, it must also always work flawlessly. The virtual trainer needs to manage this technology while simultaneously keeping the learning and responses rattling along at a good pace and in an attractive style.

These are new skills. So is the ability to adapt the traditional habits of the classroom trainer, particularly the trick of including all delegates in the discussion, to a setting where the participants are visible neither to the trainer nor to each other, and where they are only audible if they choose to be. Making sure that they are not quietly doing their emails, nipping outside for a cigarette, or (worse) sitting there feeling left out and bored, is a distinct and totally new skill. When you can't actually see someone gazing into space or reading the paper, how can you tell? This isn't intuition, it is skill, and it can be learned; but very few (if any) have it naturally.

So, the virtual classroom is advancing, and best practice is clearly emerging. Unsurprisingly therefore, as this evolution progresses, the arguments assembled to resist it start to roll over the horizon.

So, which is it to be – bricks or clicks? - the marker pen or the mouse?

If there were an original way of saying "horses for courses" we'd say it here. The truth is though that it really does depend on whether, for a given piece of training at a given time, the value of having a real physical community of learning justifies the cost and hassle of creating it. Some highly visual content, what we might call "three dimensional disciplines", will require it – first aid training for example, or a drama class. More technical or academic content – such as risk management or IT learning – probably does not. And then, as we discussed, there is the – often irrational – desire to get people together just because it feels right; and there's nothing wrong with that if it's affordable.

In Huthwaite Fleming's world, although our content is highly behavioural in nature, it isn't very physical. We'll be equally happy with a foot in both camps for the foreseeable future, offering both solutions – and maybe even a blend of the two. There is nothing to say that virtual training could not be followed up with good, locally based, face-to-face coaching, for example. But what we'll always do is make sure that the content and people involved are totally appropriate to whichever medium our clients select.

In ten or twenty years' time, people will still be gathering in seminar rooms to learn, discuss and practice new skills. The difference will be that they will have thought through carefully the merits of being there, safe in the knowledge that there is a viable, no less effective and no less real, virtual alternative.

Peter Fleming – Director - Huthwaite Fleming Ltd
Contact 01844 214421 or email peterf@huthwaitefleming.com www.huthwaitefleming.com

Article 5

360 degree feedback – getting the timing right

By Brendan Walsh, Bowland Solutions

Introduction

As a supplier of 360 degree feedback services, it is tempting to recommend that 360 feedback is run every 6 months for everyone in a firm. But, that is neither practical nor useful. So, when is 360 feedback useful in a law firm and how often should it be run? The thoughts that follow are built from my observations of working with a range of law firms and seeing when 360 is of greatest value. It is based on our thoughts on how L&D can use 360 to support lawyers in the breadth of competency areas that they will need to call upon in the future.

Some basics

We can't talk about frequency without at least considering how to do it. A poor 360 feedback process will produce poor results whenever or how often you run it. So, let me tick off the basics first.

- Get a great set of questions (competency framework). If you already have them great, otherwise get someone in who is experienced at writing the questions. Make sure there is plenty of opportunity for free-format responses.
- Follow a simple, open, clear process. Probably online, the process should be very simple to follow and should let the respondents get on with giving feedback with the minimum of interruption.
- Have a great conversation around a great report. Make sure the people giving feedback are well-trained. Consider external debriefers, or train internal people. Use a report that reflects back the responses rather than tries to attach numbers to them.

This process is tried and tested. Of course, the devil is in the detail, but keep these three steps in mind and you won't be far wrong.

Timing

For many partners, annual feedback would be a ***good thing to do***. But there are particular times when 360 feedback is particularly relevant

Career moments

Recipients of 360 feedback are highly receptive to the feedback at significant times in their career.

The ***new member of a firm***, after say 12 months, is receptive to how new colleagues are perceiving them and can benefit from a clear insight into where perceptions of strengths and weaknesses are beginning to be formed before they become a long-term problem.

The ***associate looking for partnership*** is open to feedback from colleagues, partners and other key stakeholders on what needs to be done to reach partnership.

The ***new partner*** of 12 months can gain great insight into how their co-partners and associates view them with their new responsibilities and what new behaviours they are looking for.

The ***newly appointed*** head of department, or managing partner can use 360 degree feedback to fine tune their approach to managing the firm or department.

We find that delivering 360 feedback to people at an appropriate time in their development makes the conversations you hold highly relevant and leads most often to actions on behalf of the recipient.

We recommend you make 360 feedback part of your talent management / succession planning process….just build it in.

During major changes

If your firm is looking to change the way it acts, or take a different approach to the way it works then 360 feedback offers two great benefits.

First, once you have designed your question set that matches this way of working, the 360 puts that set of questions in front of many people within the organisation. The act of considering the questions and looking at colleagues through the lens of the new behaviours allows the cultural change to start bedding in. Respondents may give feedback on 4-5 recipients – each time they are reviewing the new set of behaviours.

Second, it opens up conversations with the recipients of feedback against the new set of behaviours and language that is being introduced. It is reasonable to assume there will be some behaviours that are not in line with the new way of working. That is now deliberately brought out into the open.

With a training initiative

Our third theme is to support training initiatives. If your training initiative would benefit from increased self-awareness of an individual, or, if your training initiative addresses broad areas (e.g. performance management, leadership training) then 360 feedback offers a great method of gaining insight prior to the commencement of a training programme.

For some training programmes, a second series of 360 feedback around 6 months after training can give some measure of the benefit of the training to the individual and the firm.

How often?

Almost always, 360 feedback should be repeated at least once. Without a repeat run of the 360 – probably about 9-12 months later – the recipient has no consistent route of determining whether they have changed any behaviours or whether their colleagues have seen a change.

Many firms and non-legal sector based organisations benefit from annual 360 feedback for the key people in the organisation. The consistency of the process, the building of insight, and even at times the being held to account, has great benefits in showing that the firm values *how* someone delivers as well as *what* they deliver. The opportunity for people to give upwards feedback once a year is highly valuable and a key factor for some of the firms we work for.

Outside of the key people (which for many firms would be all partners), we would advocate periodic interventions of 360 – aligned with the career structure described earlier. Two 360 sessions, about 9-12 months apart allow the recipient to create a timely action plan and get feedback on the changes they have set out to make.

Summary

360 feedback is very well suited to law firms. Tailored, timely 360 interventions will maximise the benefits to the individual and the firm. Build 360 into your succession plan and annual management processes.

About the author and Bowland Solutions

Brendan Walsh

Brendan Walsh is a founder and director of Bowland Solutions. Brendan has a set of principles and values that have driven Bowland's practice over the last 9 years of providing 360 degree appraisals.
Brendan's musings on 360 and performance appraisals can be found on the Bowland Solutions Blog at http://blog.bowlandsolutions.com

E: brendan@bowlandsolutions.com
T: 01889 226107

Bowland Solutions

Bowland Solutions has been providing tailored on-line Performance Reviews, 360 Degree Feedback, Surveys and HR consultancy since 2001. Its directors have extensive experience within Learning & Development, IT and Performance Management, offering clients practical advice and robust system solutions.

Article 6

Networking at Christmas time

By Jack Downton, The Influence Business

"How can I possibly escape?"

Christmas seems to come earlier and earlier each year. Supermarkets start selling Christmas puddings in September, department stores are decked with tinsel before Halloween and 'All I want for Christmas' has been dominating the radio since Bonfire Night.

I expect some of you have may feel you have had your fair share of the holiday season. So does the thought of another work-related Christmas party fill you with dread? Whilst some lawyers have a natural gift for 'working the room', many dread networking events and would rather kiss Aunt Mildred under the mistletoe than talk to a room full of strangers. Yet networking can prove a great opportunity to put you in contact with people that may just come in useful – both now and in the years ahead.

Preparation

Many lawyers that we have trained are surprised to learn that preparation is the key to success to becoming a successful networker: a little bit of homework now can pay big dividends later. Just as planning and foresight is needed for your day to day work, networking too greatly benefits if you have in mind objectives of what you want to achieve. By simply turning up, you don't have a focus, and so you could find yourself standing on your own, eating mince pies and achieving little. Research who might be there in advance and give thought as to what you want get out of the evening and you will probably find yourself leaving with lots of useful business cards.

Look the part

To impress a crowd at a corporate event, you will need to create the right impression. As you arrive, it is worthwhile checking your appearance in a mirror before you enter the room. People can form an initial impression within 10 seconds of meeting someone, so having arrived in a hurry straight after work is no excuse for not looking presentable.
As you enter the room, smile and make eye contact with those in the room. This is engaging, gives you an aura of confidence and gives the appearance of approachability. Have in your mind some suitable 'ice breakers' to kick start conversations: the amount of people at the event, the size of the room, or even how your Christmas shopping is going, so long as you can initiate the conversation if you have to.

Choose your target

When choosing who to approach, consider carefully who to move in on – those on their own might be on their own for a good reason; similarly, a clique of two might not be welcoming to a third party. A group of three or more might be the best option. Approach with eye contact the member of the group you judge as

leading the conversation. Don't hover and hope to be absorbed. Approach purposefully, smile and say something like 'May I join you?'
In conversation, use people's names as soon as you hear them. If names are not offered, don't be hesitant in asking for people's names, as asking for names too late in the conversation is often awkward.
Before discussing the type of law you're involved in, or the firm where you practice, use small talk to earn people's trust and establish that essential initial rapport. Similarly use questions to show a genuine interest in the people you're talking to. Use their answers to inform your next question.
In your group, however, avoid any temptation to monopolise conversation. In fact, allowing others in the group to have a greater speaking part than you can prove a terrific way of getting contacts. By giving someone a greater role, you learn a lot about the other person, you don't have to do the talking (so there's no chance of being thought of as boring) and the person talking feels important and remembers a lively exchange with you. The message above all others when networking is 'Be interested; don't try and be interesting".
Also have prepared an answer to the inevitable question: 'And what do you do?' Prepare an answer that succinctly details and shows the benefit of what you do. Be ready to give further information if people want it and speak with enthusiasm about the work that you do.

My card…
Business cards are an important step in the process and they can be exchanged at any time - either early in the conversation as a way to initiate dialogue, or later on to show an interest in the person to whom you were talking. When a card is offered, resist the temptation to put it in your pocket: keep hold of it in your hand. It shows a respect for the person, plus it will come in handy should you forget their name.
There might be other great contacts to meet at the event, so you will have to move on. Try and avoid clichés such as 'must go – need to catch my train'. Honesty is always the best policy – especially if they then later find you talking to someone else and the 21.02 to Norwich left long ago. Instead, thank the other person while looking at them in the eye (not over their shoulder as you cast around for someone else to speak to), and move on confidently, yet politely.
After the event, you need to follow up, or else your night may have been a waste of time. Instead of sending just another email, consider posting a handwritten note, possibly with an article attached you think may be of interest them. It looks more personal and has greater impact.
Lastly do bear in mind that these events can also prove a great way of making not just business contacts, but friends you can call upon for a whole variety of reasons. So good luck, have fun and enjoy the Christmas period.

Jack Downton is the managing director of The Influence Business Ltd. He is a former colonel in the Royal Marines. You can email Jack at jack.downton@TheInfluenceBusiness.com